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09/827,431

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Imaddin Othman Albazz

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07/03/2006

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Office Action Summary

| | | |
|-------------------------------|-------------------------------|--|
| Application No. 09/827,431 | Applicant(s) ALBAZZ ET AL. | |
| Examiner Pierre E. Elisca | Art Unit 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16, 17, 19-27, 29-36, 38-46 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 14, 16, 20-26, 27, 29 30-35, 39-45, 46 and 48 is/are allowed.
- 6) ☒ Claim(s) 17, 19, 36 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's response filed on 12/28/2005.
2. Claims 1-14, 16-17, 19-27, 29-36, 38-46, and 48.

Allowable Subject Matter

3. Claims 1-6, 14, 16, 20-26, 27, 29, 30-35, 39-45, 46 and 48 are allowed over the prior art of . The prior art of record fail to disclose the recited feature: " storing at least one terms and conditions set containing parameters corresponding to selected rules from the compilation of business rules, generating links between the compilation of business rules and the terms and conditions set to generate specific terms and conditions to be embodied in the contract, and interlocking the compilation of business rules, the terms and conditions set and the links to lock the contract".

4. The rejection to claims 17, 19, 36, and 38 under 35 U.S.C. 103 (a) as being unpatentable over Raveis in view of Hoyt as set forth in the office action mailed on 09/30/2005 is maintained.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3621

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17, 19, 36, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raveis, Jr. US 2001/0047282 A1 in view of Hoyt et al. (U.S. pat. No. 6,067,531).

As per claims 36, and 38 Raveis substantially discloses a system/method for managing real estate transactions over a distributed computer network including the steps of storing data relating to a plurality of listing in a computerized database, each listing owned by an office, each office having a plurality of agents associated therewith. The offices and the manager associated with a transaction in accordance with a set of parameters, comprising:

a computer for storing at least one contract (see., page 7, col 9, specifically listings 542) storing set containing parameters (see., page 7, col 9, specifically listings 542, and wherein said manager commissions are determined based on many parameters); generating links between the contract (see., pages 7 -pages 12); interlocking the links to lock the contract (see., col 7, lines 26-42, it is obvious to realize that all business transaction contracts have a locking date or process, specifically, real estate contracts).

Raveis fails to explicitly disclose wherein said compilation of business rules and storing terms and conditions. However, Hoyt discloses an automated contract negotiator/generation system/method in which multiple users, coupled by a computer network, access a contract database containing multiple contracts with multiple contract components therein. A client applet facilitates user input at the client system and assists

Art Unit: 3621

in a standardization of legal phrasing and contract negotiation. The client applet enforces business rules to qualify a contract for expedited approval (see., abstract, col 1, lines 5-47, col 2, lines 12-56. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the real estate transactions Raveis by including the limitation detailed above as taught by Hoyt because this would support approval policies by applying business rules to control specific contract terms.

As per claims 17 and 19 Raveis discloses a system/method for managing real estate transactions over a distributed computer network including the steps of storing data relating to a plurality of listing in a computerized database, each listing owned by an office, each office having a plurality of agents associated therewith. The offices and the manager associated with a transaction in accordance with a set of parameters, comprising:

storing at least one contract (see., see., page 7, col 9, specifically listings 542);

storing set containing parameters (see., page 7, col 9, specifically listings 542, and wherein said manager commissions are determined based on many parameters);

generating links between the contract (see., col 7, lines 26-42, it is obvious to realize that all contracts have a locking date or process, specifically, real estate contracts);

interlocking the contract (see., pages 7 -pages 12). Raveis fails to explicitly disclose wherein said compilation of business rules and storing terms and conditions. However, Hoyt discloses an automated contract negotiator/generation system/method in which

multiple users, coupled by a computer network, access a contract database containing multiple contracts with multiple contract components therein. A client applet facilitates user input at the client system and assists in a standardization of legal phrasing and contract negotiation. The client applet enforces business rules to qualify a contract for expedited approval (see., abstract, col 1, lines 5-47, col 2, lines 12-56). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the commercial network system of Raveis by including the limitation detailed above as taught by Hoyt because this would support approval policies by applying business rules to control specific contract terms.

RESPONSE TO ARGUMENTS

7. Applicant's arguments filed on 12/28/2005 have been fully considered but they are not persuasive.

REMARKS

8. In response to Applicant's arguments, Applicant's argues that the prior art of record fail to disclose the recited feature:

"Conducting contractual activities pursuant to a contract". As discussed in the previous rejection and hereby incorporated by reference, the cited reference (Raveis) discloses this limitation in the abstract, pages 1-2, specifically wherein said a system/method for managing real estate transactions over a distributed computer network including the steps of storing data relating to a plurality of listing in a computerized database, each

listing owned by an office, each office having a plurality of agents associated therewith. The offices and the manager associated with a transaction in accordance with a set of parameters.

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre Eddy Elisca

Primary Patent Examiner

February 28, 2006